

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANDREA SUMMERS

v.

**THE CHILDREN'S HOSPITAL OF
PHILADELPHIA**

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CIVIL ACTION NO. 21-3479

ORDER

This 7th day of December 2021, for the reasons set forth in the accompanying Memorandum, it is hereby **ORDERED** that Defendant's Motion to Dismiss for Failure to State a Claim Pursuant to Fed. R. Civ. P. 12 (b)(6), ECF 11, is **GRANTED in part and DENIED in part** as follows: the Motion is **GRANTED** as to Plaintiff's retaliation claim, and **DENIED** as to Plaintiff's race discrimination claim. Plaintiff's retaliation claim is dismissed without prejudice subject to the conditions in the Court's Memorandum.

/s/ Gerald Austin McHugh
United States District Judge